



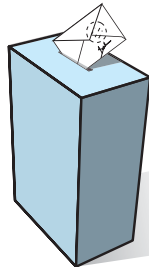
Chile

The Legal Framework

National Legislation

Systems and Concepts	National Legislation
<ul style="list-style-type: none"> - Act which creates the Superior Council of National Defence (N° 7.144 - 1942/01/05) - Decree which creates the Superior Council of National Security and the Board of Commanders-in-Chief (DFL N° 181 - 05/04/1960. Last reform: DFL N° 2 - 1967/16/09) - Act which dictates Regulations on Mobilization (N° 18.953 - 1990/03/09) - Decree-Law which establishes the Redrafted, Coordinated and Systematized Text of Act N° 18.575, Organic Constitutional Law on General Terms and Conditions of the State Administration (N° 19.653 - 2001/11/17. Last reform: Act N° 19.882 - 2003/06/23) - Act on the National Intelligence System; creates the National Intelligence Agency (N° 19.974 - 2004/10/02) 	<ul style="list-style-type: none"> - Code of Military Justice (Decree-Law N° 806 - 1925/12/23. Last reform: Act N° 20.084 - 2005/12/07) - Reserved Copper Law (N° 13.196 - 1958/11/29) - Decree-Law on the Recruiting and Mobilization of the Armed Forces (N° 2.306 - 1978/09/12. Last reform: Act N° 20.045 - 2005/03/10) - Decree Law of the Military Public Ministry (N° 3.425 - 1980/06/14) - Decree which establishes Regulations on the Constitution, Mission, Dependency and Responsibilities of the Armed Forces (DS N° 272 - 1985/03/16) - Constitutional Organic Act of the Armed Forces (N° 18.948 - 1990/02/27. Last reform: Act N° 19.806 - 2002/05/31)* - Act which modernizes the Obligatory Military Service (N° 20.045 - 2005/09/10)

* A reform to this legislation, creating a professional troop, was approved by the Chamber of Deputies in July 2008. As for August 2008, the definitive approval was under consideration.



Political Participation of Military Members

	Retired	On Duty
Are they entitled to vote?	Yes	Yes
Are they entitled to become candidates for elections	Yes ⁽¹⁾	No

(1) One year after retiring.
Source: Constitution.

International Treaties

On Hemispheric Security

- Inter-American Treaty of Reciprocal Assistance: Signature: 1947/09/02 Deposit: 1949/02/09
- American Treaty on Pacific Settlement (Pact of Bogota): Signature: 1948/04/30 Deposit: 1974/04/15

On Disarmament

- Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco): Signature: 1967/02/14 Deposit: 1974/10/09
- Treaty on the Non-Proliferation of Nuclear Weapons: Accession: 1995/05/25
- Convention on the Prohibition of Chemical Weapons: Signature: 1993/01/14 Deposit: 1996/07/12
- Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention): Signature: 1997/12/03 Deposit: 2001/09/10
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction: Signature: 1972/04/10 Deposit: 1980/04/22
- Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques: Accession: 1994/04/26
- Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons: Accession: 2003/10/15
- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials: Signature: 1997/11/14 Deposit: 2003/10/23
- Inter-American Convention on Transparency in Conventional Weapons Acquisitions: Signature: 1999/06/07 Deposit: 2006/01/30
- Nuclear-Test-Ban Treaty (CTBT): Signature: 1996/09/24 Deposit: 2000/07/12

On Human Rights and Justice

- Inter- American Convention on Human Rights (Pact of San Jose de Costa Rica): Signature: 1969/11/22 Deposit: 1990/08/21
- Inter-American Convention on Forced Disappearance of Persons: Signature: 10/06/1994/06/10 Unratified
- Inter-American Convention to Prevent and Punish Torture: Signature: 1987/09/24 Deposit: 1988/09/30
- International Criminal Court: Signature: 1998/09/11 Unratified

On the Hemispheric System

- Charter of the Organization of American States: Signature: 1948/04/30 Deposit: 1953/06/05
- Antarctic Treaty: Signature: 1959/12/01 Deposit: 1961/06/23

Source: Compilation based on the information supplied by the web pages of the Secretariat for Legal Affairs of the Organization of American States, and the UN Office for Disarmament Affairs.

The Budget

State Budget 2008

Defence Budget 2008

Local currency	20,212,461,394,137	Local currency	2,441,284,175,450
US\$	37,017,804,099	US\$	4,471,052,664
		GDP's %	2.63
2008 GDP (in US\$)	169,919,000,000	% of the State Budget	8.49*

* Without extra-budgetary resources

2008 Defence Budget (in Local Currency)

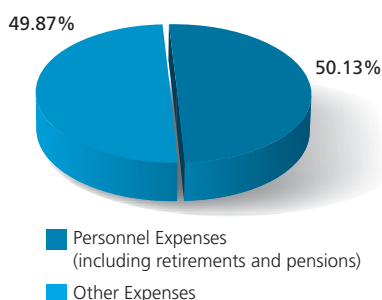
Items	Personnel*	Consumer Goods and Services	Others**	TOTAL
Ministry of Defence				
Army of Chile	246,888,876,450	61,396,660,000	5,617,641,450	313,903,177,900
Superior Management	1,889,611,000	1,919,285,050	18,410,508,400	22,219,404,450
Health Organisms	20,327,964,000	15,106,307,000	4,012,908,000	39,447,179,000
Military Industry Organisms	1,701,883,000	618,495,000	396,740,000	2,717,118,000
Navy of Chile	159,495,158,950	73,689,192,000	7,225,700,350	240,410,051,300
Undersecretary of the Navy	581,718,000	272,684,000	20,288,000	874,690,000
General Directorate of Maritime Territory	7,425,781,000	22,604,601,000	13,989,836,000	44,020,218,000
Directorate of Health Services	13,318,781,000	26,213,700,000	4,806,244,000	44,338,725,000
Air Force of Chile (FACH)	99,934,009,150	48,061,710,800	4,849,651,850	152,845,371,800
Undersecretary of Aviation	392,203,000	214,587,000	71,026,000	677,816,000
General Directorate of National Mobilization	739,223,000	1,357,613,000	1,348,227,000	3,445,063,000
FACH Health Organisms	7,443,559,000	8,574,713,000	1,822,186,000	17,840,458,000
Ministry of Defence Administrative Directorate	903,757,000	558,357,000	34,953,000	1,497,067,000
Military Geographic Institute	1,386,214,000	1,136,243,000	410,721,000	2,933,178,000
Hydrograph and Oceanography Service of the Navy	1,165,457,000	1,417,505,000	694,205,000	3,277,167,000
General Directorate of Civil Aviation	43,554,045,000	17,276,838,000	31,881,163,000	92,712,046,000
FACH Aerophotogrametric Service	493,567,000	564,425,000	449,693,000	1,507,685,000
Ministry of Labour and Social Services				
Retirement Funds of the National Defence	616,219,021,000	1,976,116,000	113,406,623,000	731,601,760,000
Subtotal	1,223,860,828,550	282,959,031,850	209,448,315,050	1,716,268,175,450
Extra-budgetary funds				
Codelco-Reserved Copper Law***				725,016,000,000
TOTAL				2,441,284,175,450

* Includes supply of social services.

** Current and capital transfers, tax refund, other current expenses, acquisition of financial and non financial assets, investment initiatives, loans and final cash balance.

*** Source: *Status of Government Operations 2007*. Directorate of Budget, Ministry of Economy of the Republic of Chile. The pertaining values for 2007 sales have been considered.

Defence Budget 2008 Breakdown



Source: Compilation based on the Budgetary Law for the Public Sector for the Year 2008.

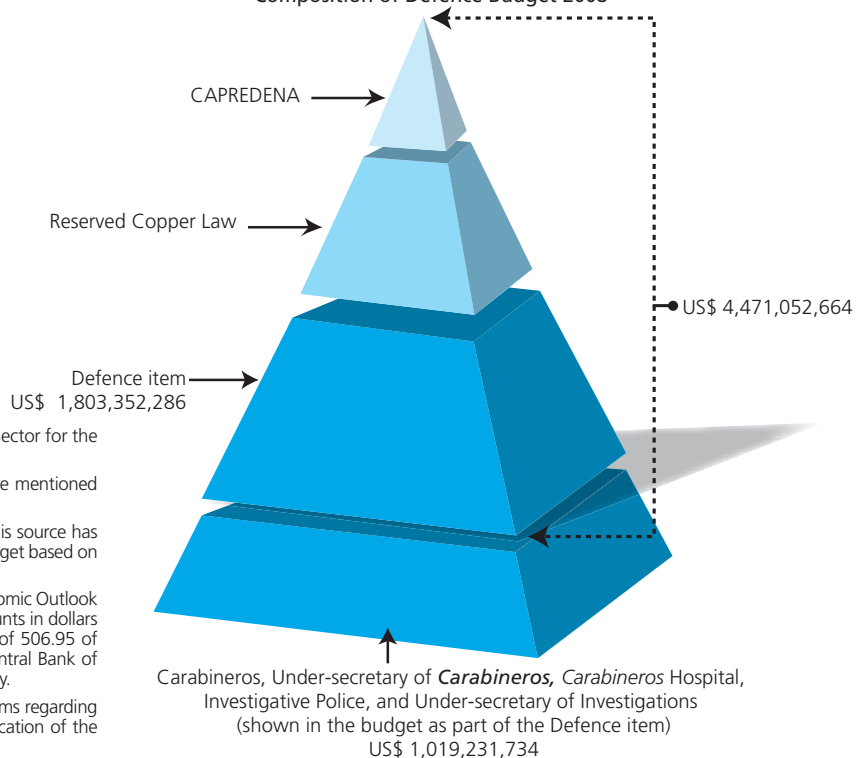
The State budget passed by the Congress by means of the above mentioned Act is considered herein.

2008 GDP: World Economic Outlook Database Projection, IMF. This source has been taken for comparative purposes. Each country makes the budget based on its own GDP estimation.

The dollar value is the exchange rate considered by the World Economic Outlook Database, IMF. In the case of the local currency table, for the amounts in dollars shown on the budget, the type of currency is the average value of 506.95 of the month in which the budget was made, as of values from Central Bank of Chile. For further calculations, figures are provided in local currency.

Expressions in Bold Type (Table) make reference to the different items regarding defence, which can be found in a sectorial or institutional classification of the budgetary Act.

Composition of Defence Budget 2008





Political Definitions

Concepts

What is Defence?	What is Security?
<p>It is one of the essential responsibilities of the State, whose purpose is to protect population, preserve national territory, and protect the capacity of the State to exercise its sovereignty against external threats to those fundamental elements; as well as support the achievement of national objectives within the international sphere.</p> <p>Defence must be considered as a public good in an integral sense. It has a basic social function for the existence of society and cannot be provided by any other institution than the State. As part of the security which is necessary for the country, defence helps make society development possible.</p> <p><i>(Libro de la Defensa Nacional, 2002)</i></p>	<p>Security consists of a desirable condition for the realization of the purposes of the State and the Nation, particularly those related to the social and economic development.</p> <p><i>(Libro de la Defensa Nacional, 2002)</i></p>

Participation in Peace Operations

Missions	Military Component	
	MO	CT
MINUSTAH (Haiti)	—	499
UNMIK (Kosovo)	1	—
UNMOGIP (India and Pakistan)	2	—
UNTSO (Israel and Palestine)	4	—

The Joint Peacekeeping Operations Centre (CECOPAC) was founded on July 15, 2002.

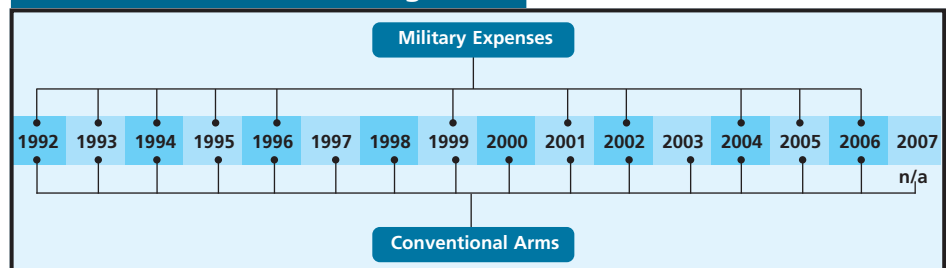


MO: Military Observers - CT: Contingent Troop.

Source: Compilation based on the information supplied by the UN Department of Peacekeeping Operations (<http://www.un.org/Depts/dpko/dpko/contributors/>). Information as of June 30, 2008.

Chile provides 506 military members to UN peace operations, which represents a 7.97% of the total amount of the Latin American contribution and a 0.65% of the world total.

Submissions to the UN Registers



Source: Compilation based on reports submitted to the UN Register of Conventional Arms and the UN Instrument for Reporting Military Expenditures from 1992 to 2008. The publication of information from the Register of Conventional Arms corresponding to the year 2007 is expected by August 2008.

Chile published the *Libro de la Defensa Nacional* (Book of National Defence) in 1997 and 2002.

Constitutional Powers of the Congress

Related to War and Peace

- Can it declare war?: No
- Is a congressional authorization required to declare war?: Yes
- Can it make peace?: No
- Is a congressional authorization necessary to make peace?: Yes
- Is a congressional authorization necessary for the entry of foreign troops to the national territory?: Yes
- Is a congressional authorization necessary for the deployment of national troops outside the country?: Yes

Related to Control

- Is its approval required to appoint senior officers of the Armed Forces?: No
- Can it accuse officers of the Armed Forces?: Yes ⁽¹⁾
- Can it try officers?: Yes ⁽²⁾
- Does it participate in the election of officials for institutions of external control?: Yes
- Can it modify the national budget?: Yes

(1) Generals and Admirals.
(2) Corresponds to the Senate.

States of Exception

Name: State of assembly
Cause: External war
International war
Participation of the Legislative Power: Requires the approval of the Congress.

Name: State of siege
Cause: Internal war
Grave internal commotion
International war
Participation of the Legislative Power: Requires the approval of the Congress.

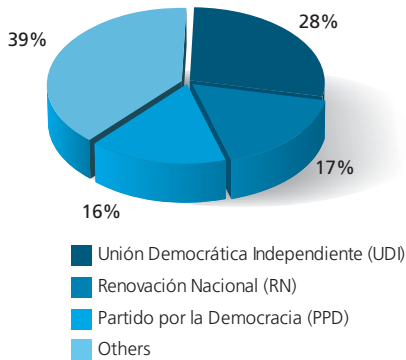
Name: State of calamity
Cause: Public calamity
Participation of the Legislative Power: The President shall inform the Congress of the measures adopted. It requires the approval of the Congress if extended for more than a year.

Name: State of emergency
Cause: Grave disturbance of the public order
Grave damage to national security
Participation of the Legislative Power: The President shall inform the Congress of the measures adopted. It requires the approval of the Congress if extended for more than fifteen days.

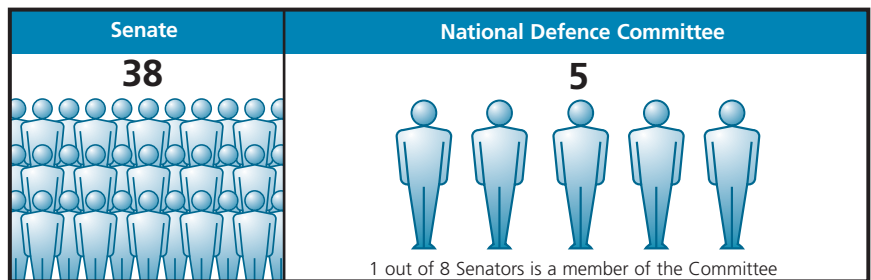
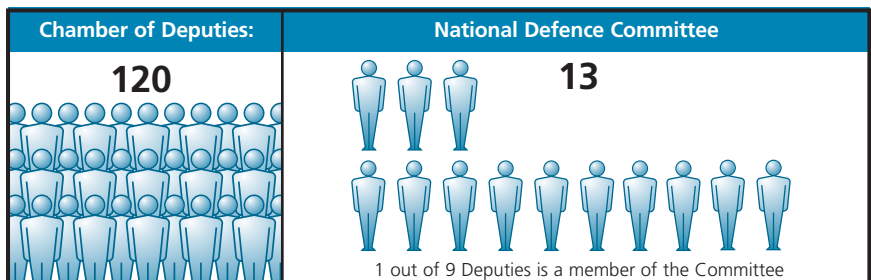
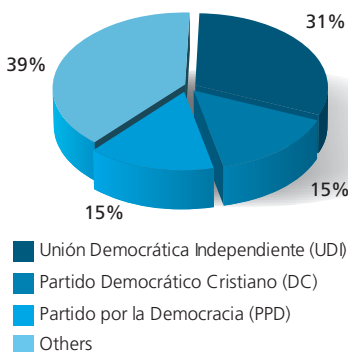
Source: Compilation based on the Constitution.

Breakdown of Parties

Chamber of Deputies



National Defence Committee

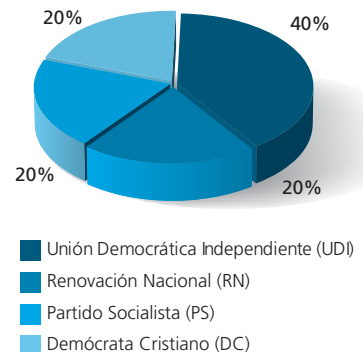


Breakdown of Parties

Senate



National Defence Committee



Source: Compilation based on information provided by the Legislative Power.



System Organization

Functions

Date of Foundation
1932

Current Minister (August 2008)
José Goñi Carrasco

Can the military members be Ministers of Defence?
Yes (if they have retired)

Number of military members who were Ministers of Defence
18

Number of civilians who were Ministers of Defence
29

Have there been any women in charge of the Ministry of Defence?
Yes (Michelle Bachelet, 2002-2004 and Vivianne Blanlot, 2006-2007)

[The Minister currently in charge is not considered. The creation date is related to the moment in which the term "Defence" becomes part of the Institution's name]

■ Average permanence in the Minister of Defence position
1 year and 6 months

State Powers Sphere

The President of the Republic holds the following attributions: determines, organizes and distributes the air, ground and sea forces; takes office as Supreme Chief of the Armed Forces in the case of war; declares war -with prior authorization by law- and has to attest having heard the National Security Council, and declares, in concurrence with the other State bodies, the states of exception, assembly and siege.

The National Security Council (COSENA) is a body that, at the request of the President of the Republic, advises on any security matters, and has the faculty to present the President, the National Congress or the Constitutional Tribunal with its opinion about any fact or matter that in its view, seriously attempts against institutional foundations or can put national security at risk. This council can be summoned by the President, or by request of two of its members, and their accords are adopted by absolute majority of the incumbent members with a right to vote (President of the Republic, President of the Senate, President of the Supreme Court, Controller General's Office of the Republic, Commanders-in-Chief of the Armed Forces and Director General of Carabineros).

The Superior Council of National Security (CONSUSENA) is a body that advises the President of the Republic on everything concerning the security of the Nation and keeping the territorial integrity of the country. Besides, it holds the responsibility of analyzing and advancing the measures that, in fulfilling the decisions and orientations of the President, aim at coordinating the labour of the various ministries. It is composed of the President of the Republic, the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of National Defence, the Ministry of Finance, the Commanders-in-Chief of the Armed Forces, the Director of Frontiers and Borders, and the Chief of the National Defence Staff.

The defence committees of the Congress fulfill the functions of analyzing and reporting to the plenary body on all the draft bills related to the national defence in general, and the Armed Forces in particular.

Ministerial Sphere

The Minister of National Defence is in charge of the planning and general direction of the Ministry's activities, and of rendering direct and immediate assistance to the President as to the conduction of the national defence, both in peace and war times.

In order to fulfill its functions, the Ministry counts on the advice of the Board of Commanders-in-Chief on all matters related to the Armed Forces. It is made up of the three Commanders-in-Chief, chaired by the Ministry of Defence in peace times, and by a military official appointed by the President in wartime.

Its permanent acting body is the National Defence Staff, which is the permanent advisory, working and co-ordination agency of the Minister of Defence, in all issues related to the preparation and use of the Armed Forces.

It is composed of the Commanders-in-Chief of the Armed Forces, under the command of the Chief of the National Defence Staff (position taken in turns by the three armed institutions).

The Under-Secretariats of War, Navy, Air Force, Carabineros and Investigations are advisory and contributing bodies to the Ministry of Defence. Beyond the specific tasks determined by the Minister, the function of each of these agencies is to analyse and address the administrative matters related to the institution they serve for, as well as prompting all the initiatives and projects that may result beneficial in those areas.

The Superior Council on National Defence (CONSUDENA) controls the investments made with charge to the Reserved Copper Law. It is presided by the Ministry of Defence and it is composed of the Ministries of Foreign Affairs, of Finance, the Commanders-in-Chief of the Armed Forces, the Under-Secretaries of War, Navy and Air Force, the Chiefs of the General Staffs of the Armed Forces and the Chief of the National Defence Staff.

Military Sphere

The Commanders in-Chief-of the Armed Forces exercise the government and administration of their respective Forces. In particular, they direct the preparation for war of their respective operational elements and their logistical support

Source: Compilation based on the Constitution and *Libro de la Defensa Nacional* (2002).

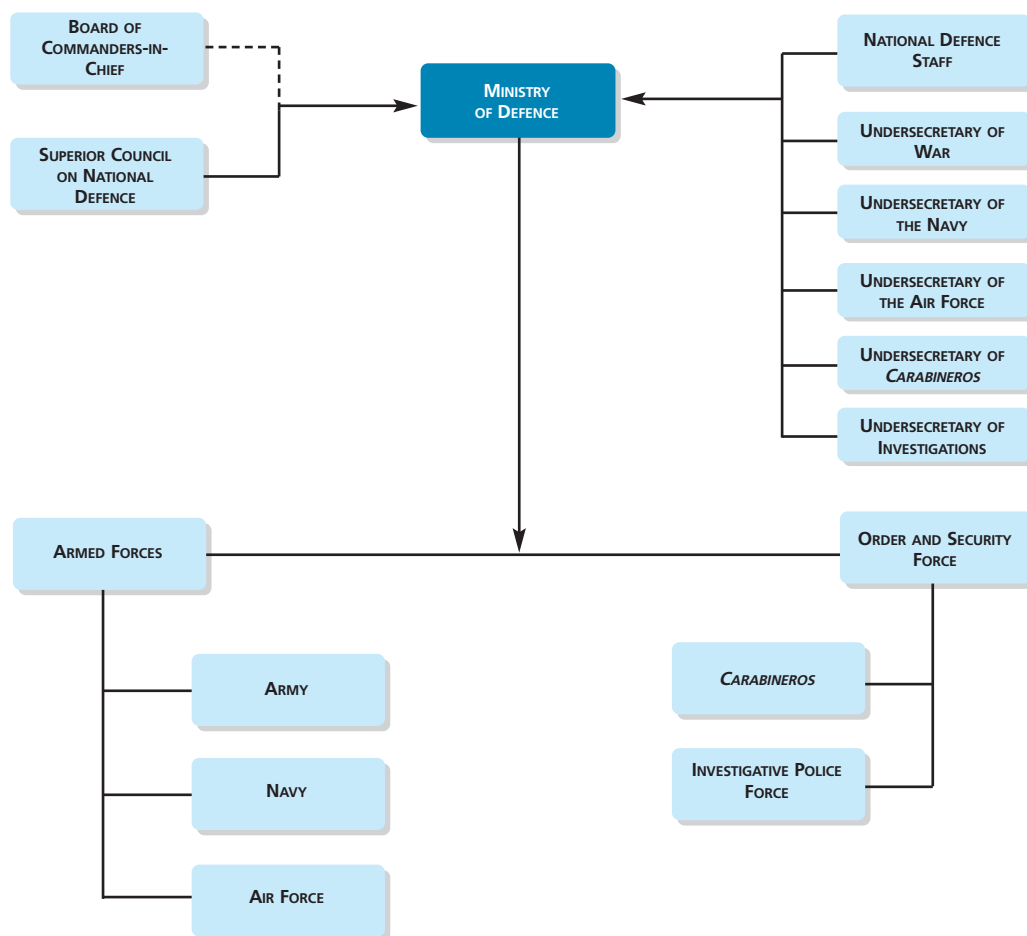
The Ministry of National Defence

Mission:

The Ministry of National Defence is the President's highest cooperation body regarding powers of government and administration of national defence sector. It is the public agency through which the Head of State frames and directs country's defence. For those purposes, and pursuant to Act Nº 18.575, Organic Constitutional Law on general Terms and Conditions of the State Administration, its Head is in charge of projecting the national defence policy and specific policies and plans derived from it.

Source: Compilation based on *Libro de la Defensa Nacional* (2002) and information provided by the Ministry of National Defence.

ORGANIZATION CHART



Source: Compilation based on *Libro de la Defensa Nacional* (2002).

Defence Education

Main Training Courses of Specialization in the Area

Training Course	Institution
<ul style="list-style-type: none"> - Masters on Military History and Strategic Thinking - Defence Correspondent Degree - Degree on Security and Defence Studies - Masters on Military Sciences, specializing on Security and Defence Studies. 	Army War College
<ul style="list-style-type: none"> - Bachelor in Business Administration, specialized in Defence - Graduate in Defence Projects Management 	Diplomatic Academy Andrés Bello
<ul style="list-style-type: none"> - Course of Peace Operation for Civilians and Officers, specializing on Civil/Military Cooperation 	Joint Centre for Peace Operations (CECOPAC)
<ul style="list-style-type: none"> - Degree on Political and Strategic Studies - Masters on Security and Defence, specializing on Defence Economics and Defence Policy - Introduction to Security and Defence Studies - Defence policy and Social Communication - Foreign and Defence Policies of Chile (together with the Diplomatic Academy Andrés Bello) - Negotiation in Complex Situations - International Security and Peace Operations 	National Academy of Political and Strategic Studies (ANEPE)
<ul style="list-style-type: none"> - Masters on Political Science, specializing on Defence Studies 	Catholic University of Chile

Source: Compilation based on the information supplied by the above mentioned institutions. In the case of CECOPAC, the courses open to civilians are referenced.



Military Career

ARMY

Military School

Duration: 5 years
Graduation Title: Graduate in Military Sciences
Graduation Rank: Officer Cadet

Academies of Intermediate Education

Second Lieutenant
Lieutenant
Captain

Staff College

Army War Academy

Major
Lieutenant-Colonel
Colonel
Brigade General
Division General
Army General

Entry to the Military School - 2008 -

Candidates	1,260
Admitted Candidates	207

1 out of 6 candidates was admitted

NAVY

Naval School

Duration: 4 years
Graduation Title: Graduate in Sciences
Graduation Rank: Midshipman

Academies of Intermediate Education

Second Lieutenant
First Lieutenant
Lieutenant

Staff College

Naval War Academy

Corvette Captain
Frigate Captain
Navy-Captain
Rear-Admiral
Vice-Admiral
Admiral

Entry to the Naval School - 2008 -

Candidates	539
Admitted Candidates	166

1 out of 3 candidates was admitted

AIR FORCE

Aviation School

Duration: 4 years
Graduation Title: Graduate in Air Branch, Aeronautical Engineering, Air Defence Execution Engineering
Graduation rank: Officer Cadet

Academies of Intermediate Education

Second Lieutenant
Lieutenant
Squad Captain

Staff College

Air War Academy

Squad Commander
Group Commander
Aviation Colonel
Air Brigade General
Aviation General
Air General

Entry to the Aviation School - 2008 -

Candidates	630
Admitted Candidates	120

1 out of 5 candidates was admitted

Source: Compilation based on information supplied by the above mentioned institutions and *Ley Orgánica Constitucional de las Fuerzas Armadas* (Nº 18.948 – 1990/02/27). Entry to Academies: Ministry of National Defence. The table strictly follows the order and hierarchy of the ranks shown on each country.

The Armed Forces

General Mission

The Armed Forces' fundamental mission is the defence of the Fatherland; they are essential for the national security. The safeguard of public order during elections and plebiscites shall be their responsibility. (Constitution, Sec. 101 and 18)

The general mission of the Armed Forces is to dissuade and combat any external threat to maintain the sovereignty and territorial integrity. The Forces also cooperate with the military forces from other countries in bilateral or multilateral initiatives, always respecting the national interest. (Libro de la Defensa Nacional 2002)

Specific Missions

Army

The mission of the Army is to contribute to maintaining national integrity and national sovereignty. Therefore, it is their mission to defend the land of the country against any external action which threatens or attempt against it.

Its specific mission is aimed at preventing conflict by discouraging any potential opponent and if necessary, neutralizing it, in order to safeguard sovereignty and keep territorial integrity of our country. It takes part and contributes by several means and diverse intensity, to the economic and social development of the country, within the juridical order and without denaturing its essential duties. Likewise, it performs safeguard and support works during the internal emergency cases and natural catastrophes in accordance to specific constitutional rules regulating their execution.

It must take part, pursuant to the Constitution of the Republic (Sec 41) in those activities aimed at keeping public order during election events and the constitutional states of exception in order to provide stability to national right development, assure the normal course of people's lives and the free exercise of its most relevant institutions.

Within the international sphere, and according to the foreign and defence policy from Chile, it takes part in the safeguard of international peace and security under the directives of UN.

Navy

The primary mission of the Chilean Navy is to participate permanently in external security and military defence of the country to maintain sovereignty and territorial integrity.

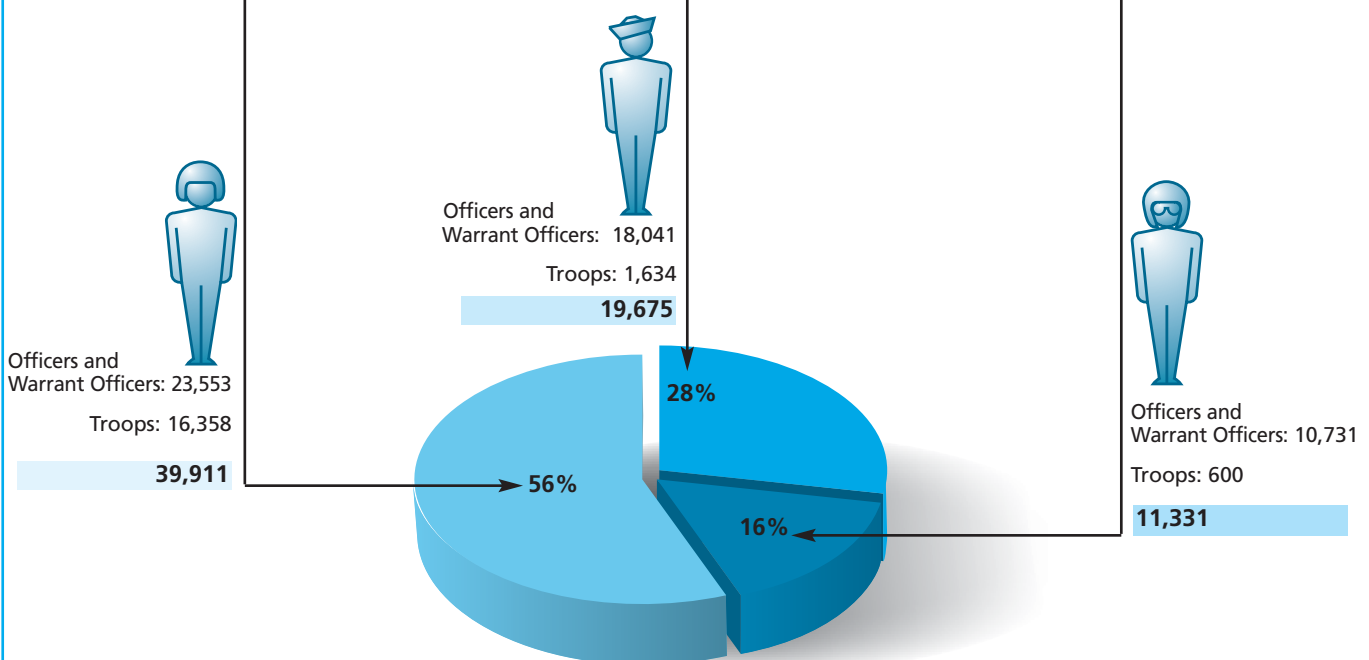
In times of peace: help in the development of maritime power of Chile, providing navigation security, fostering maritime activities and port development, keeping maritime cartography and signalling and carrying out inspection and surveillance activities aimed at providing security to human life in the sea. Guard national maritime territory. Support national development, communicating by the sea, the isolated areas and providing help to those who live there. Fulfill maritime surveillance, search, rescue and security tasks within the maritime area under national responsibility, in accordance to the international instruments regulating this matter.

In times of war: develop operations aimed at allowing Chile to make free use of the sea as a communication means at all times, in order to support the effort of war and safeguard international commerce. Help to project the military power of the Nation throughout the adversary's territory and in turn impede the projection of the adversary's military power from the sea. Support the war effort of other branches of the Armed Forces.

Air Force

The mission of the Chilean Air Force is to defend the country by means of the control and exploitation of the air space, the participation in surface battle and to provide support to their own as well as to friend forces to contribute to the strategic objectives that the national policy establish for the Armed Forces.

Total Armed Forces: 70,917



Source: Compilation based on information supplied by the web pages of the above mentioned institutions and Libro de la Defensa Nacional (2002) (missions); Ministry of National Defence (Regular Force).



Women in the Armed Forces

		Army	Navy	Air Force
Entry year (Officers)	Staff Corps	1974	2003	1974
	Line Corps	1995	2007	2000
Rank reached		All ranks	All ranks	All ranks

“Line Corps” means those military members trained to perform in combat missions, and who also have command capacity.
 “Staff Corps” means those military members who are part of the Forces or who join them, in order to provide technical and/or professional support services.

Source: Compilation based on information supplied by the Ministry of National Defence.

Defence and/or Military Attaché Office in:



Source: Information supplied by the Army of Chile. The country to which the Attaché is posted is considered here as the Office, beyond other cross accreditations to one or many countries.

Analysis:

Modernization of the Ministry of Defence

Claudio Ortiz Lazo*

■ One of the main aspects of the democratic process experimented by the defence sector since the return of democracy in 1990, has been the quest for an adequate framework for the decision making processes in the Ministry. Since the mid nineties there have been discussions in this public body regarding the need to have new structures prepared to give the adequate answers to face threats and opportunities which have arisen since the end of the Cold War. Nevertheless, not until September 2005 was a bill of law for the National Ministry of Defence introduced in the National Congress.

This project has several characteristics to consider, among them a proposal of a new ministerial structure. At the moment there is an organizational structure with a ministerial head, five undersecretaries which represent the armed institutions and order and security (Police Forces), a Chief of the Defence Staff, an Administrative Directorate (in charge of the operations of the building where the Ministry is located), as well as several dependent organizations such as the General Directorate of National Mobilization (in charge of the conscription system), the National Academy of Political and Strategic Studies (the academic centre of the Ministry), and the Chilean Joint Centre for Peacekeeping Operations (it trains the troops which are sent to the peacekeeping operations), among the main ones.

The purpose of the bill of law is to provide a superior organisation with a structure and adequate tools for the decision making process. The legal framework in effect is scattered in several legal bodies, which not only constitute dif-

■ In September 2005 a Bill of Law reforming to reform the National Ministry of Defence was introduced in the National Congress.

* Ministry of Defence. The analysis represents a personal position and does not involve such institution.



ferent kinds of regulations but also respond to historical situations barely connected to one another. Thus, its objective is for the legislation by which the Ministry of Defence is ruled, to be coherent with the rest of the regulations ruling the Chilean State, in accordance with the Constitutive Law of General Bases for the Administration of the State.

On the other hand, the project not only aims at improving the structure of the Ministries but also at improving the military-political relations. It emphasises the complementarity of the work between civilians and members of the Forces and it opens spaces for civil and military professionals with defence studies, who have the right knowledge as well as the experience to improve the administrative processes of the institution.

In this sense, the project poses significant changes for the future of the Ministry:

- a) The first of which, and perhaps the deepest, is the creation of two “functional” undersecretaries to replace the five “institutional” or “administrative” existing ones. In this way, the Undersecretaries of Defence and of the Armed Forces would be born. The Undersecretary of Defence would be in charge of all the processes and procedures of the defence policy, its creation and execution. The Undersecretary of the Armed Forces would be in charge of the administrative actions of the armed institutions. In case the Minister is absent, would be covered first by the Undersecretary of Defence and secondly by the Undersecretary of the Armed Forces. At present, the Minister of Defence only can be covered by another Minister.
- b) The Superior National Security Council, created by the Decree 181 (1960) would disappear. Among the many reasons, we can mention that as an institution it has not been very relevant, besides of the fact that in the administration of the State there are enough instances for inter-ministerial coordination. Despite the proposal for abrogating the abovementioned decree, the Board of Commanders-in-Chief, would remain in the new regulation as it is a consultation body of the Ministry of Defence, which has demonstrated to be useful regarding the opinions that the commanders-in-chief give to the Minister.
- c) The post of a Joint Chief of Staff would be created in replacement of the current Chief of the Defence Staff (military consultation body of the Minister), with an emphasis on the development of joint actions and doctrine of the Armed Forces. Despite the fact that the development of the joint Armed Forces appears as a superior concept, it is not written or in the spirit of a bill, as an intention to eliminate the current commands of the Armed Forces, but as to generate an ad hoc synergy for the needs of the operations.
- d) The post of the Strategic Leader would be created. The President would choose a general officer to prepare the operations to be carried out in a situation of crisis. Although the denomination “Strategic Leader” is not used in the text of the bill, what we understand is that this figure would cooperate in the joint actions organised in the theatre of operations.

■ The bill aims at improving the structure of the Ministry and the political-military relations.

- e) Another essential aspect of the bill makes reference to the institutionalisation in matters of personnel, and it is connected with the development of civilian as well as military personnel, trained and specialised to serve in the Ministry of Defence in the same conditions of public administration, in accordance with the Constitutive Law of General Bases.

■ Though there are high levels of agreement the debate at the Congress has not been easy.

Despite the existence of levels of agreement, the debate in the Congress has not been easy. One of the main issues taken into consideration by the members of the parliament is the fact that in a more general sense the bill restructures and transforms the entire defence sector. That means that its design does not only affect the Defence Ministry structure. That is one of the reasons of the delay in its treatment. Another difficulty implicit in the development of the debate has been the fact that the defence does not constitute a main topic in the agenda since it's not urgent or does not make reference to a clear threat.¹

The bill of law which modernises the Ministry of Defence can be considered the biggest institutional advance in the Chilean defence in the last years and it is the first time an innovation is promoted without the existence of direct threats or pressure. It can be considered as an advance, not only in the development of the defence sector but also in the evolution of the creation of public policies in the Chilean State.

¹ In July 2008 the bill was passed in the Chamber of Deputies and the Senate. When this edition closed the final approval was pending (Note of the Editor).